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Executive Registry

11-2734

31 MAR 1959

General C. P. Cabell
Deputy Director
Central Intelligence Agency
Washington 25, D. C.

Dear General:

The agreements which you forwarded with your letter of 28 January have been reviewed. We are acutely aware of the complexity of the problem with which the working committee had to deal. The CIA-AFCIN-ATIC agreements are accepted. I believe this will assist ATIC in better utilization of CIA produced materials.

Your personal interest in this matter is appreciated. The agreements arrived at by the working committee are typical of the excellent cooperation which we enjoy in dealing with your people in the agency at all levels.

Sincerely,

S/
JAMES H. WALSH
MAJOR GENERAL, USAF
ASSISTANT CHIEF OF STAFF,
INTELLIGENCE

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Major General James H. Walsh
 Assistant Chief of Staff, Intelligence
 Headquarters, United States Air Force
 Washington, D. C.

Dear Jim:

Attached are copies of the agreements relative to the use of CIA-produced intelligence information by contractors reached by the joint CIA-AFCIN-ATIC working committee convened as a result of your letter of 1 October 1953.

I feel that the agreements represent the best possible solution to ATIC's problems and am certain that both CIA and AFCIN/ATIC profited by this joint effort. An opportunity for a mutual understanding of the problems involved in the utilization and release of CIA-produced intelligence information, especially in the area of release to private contractors, was a worthy by-product of the exercise.

You may be assured that this Agency will cooperate to the fullest in carrying out its portions of the agreements.

Sincerely,

OCR/LCD/ [redacted]
 12 November 1953

Distribution:

Orig & 1 - Add

1 - IDCI

1 - LB - *not rec'd in o/DSC*

1 - EK ✓

1 - Dir/Security

C. P. Cabell
 General, USAF
 Deputy Director

Encl: CIA-AFCIN-ATIC

Agreement (2 copies) [redacted]

1 - Ch. FI/DDP

1 - AD/CR - *not rec'd in o/DSC*

1 - AD/O

2 - DD/I

72 JAN 1959

MEMORANDUM FOR: Deputy Director of Central Intelligence
SUBJECT : CIA-ATIC Agreement

1. This memorandum contains a recommendation submitted for Deputy Director of Central Intelligence approval. Such recommendation is contained in paragraph four (4).

2. In reference to the attached papers pertaining to the CIA-ATIC agreement, the Office of Security has previously concurred in the agreement subject to a joint review by CIA Security and ATIC Security of the dissemination procedures.

3. The Office of Security does not agree with [] that this arrangement with ATIC represents a dissemination policy applicable to all members of the intelligence community. This office regards this agreement as a special problem and has approved the agreement on the basis of dissemination problems peculiar to ATIC. Should other members of the intelligence community have similar problems, this office will review those problems with the appropriate elements of the Agency with a view to reaching a solution.

STAT

4. RECOMMENDATION:

A. It is recommended that the ATIC agreement be approved subject to a joint CIA-ATIC Security review of the dissemination procedures employed by ATIC.

B. That this agreement be regarded as an ad hoc agreement and not as a dissemination policy applicable to all members of the intelligence community.

SIGNED

Sheffield Edwards
Director of Security

Attachments: (W/ER & 05 copies only)

Memo dated 19 Jan. 59 to

DDCI from DAD/CR - w/att.

SUBJECT: CIA-ATIC Agreement

The recommendation in paragraph 4 is approved. #

Deputy Director of Central Intelligence

Distribution:

Orig. & 1 - ~~DDGI~~ *Rtd to OS*

1 - DDI

1 - DAD/CR

2 - OS

1 - ~~DDGI~~

1 - ER

OS/

I note that [] is merely putting the Agency on notice that this may well be looked upon by other agencies as a precedent. That seems to be irrefutable to me. He also makes the point that it is desirable from an administrative point of view, to standardize the system. That too seems irrefutable. In the final analysis, however, CIA will have to act on a case-by-case basis in light of specific recommendation by Director of Security.

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19 January 1959

MEMORANDUM FOR: Deputy Director of Central Intelligence

THROUGH : Director of Security

SUBJECT : CIA-ATIC Agreement

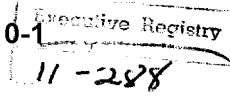
REFERENCE : My memo, same subject, 8 January 1959, and
enclosures

1. I refer particularly to paragraph 3 of the referenced memorandum in which it was suggested that Col. Edwards or [] and I be invited to present two aspects of the problem to you. You asked specifically whether:

- a. the security aspect had been resolved, and
- b. indoctrination of personnel producing intelligence and intelligence information to the possibility of use of their product by contractors had been accomplished (per Mr. Sheldon's note).

2. On the first point - the security aspect of the agreement between CIA and ATIC has been resolved by the Security Statement attached as appendix A to the agreement. The Office of Security has concurred in the CIA-ATIC agreement. Where a difference of opinion still exists between OCR and Security lies in the point that OCR believes that the CIA-ATIC agreement, when approved, will be a precedent for similar agreements with other Intelligence Board members. (The other DDI Offices concur in this belief - in fact urge such agreements - as may be seen in paragraph 7 of my 9 December 1958 memo (Tab C of the enclosures to the above-referenced memorandum).) We believe that the existence of the CIA-ATIC agreement will become known to the other Intelligence Board members and that similar agreements will be requested by them. From an administrative point of view, we feel that such new agreements, although not of identical language, could not be less liberal than the CIA-ATIC agreement. The Office of Security maintains that the CIA-ATIC agreement is a one-shot exercise and need have no bearing on any possible future agreements with other agencies.

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8 JAN 1959

MEMORANDUM FOR THE DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE

THROUGH: DEPUTY DIRECTOR, INTELLIGENCE

SUBJECT: Transmission of Joint CIA-AFCIN Committee Report

REFERENCES:

- (a) Major General Walsh, AFCIN Letter to General Cabell, DDCI, dated 1 October 1958
- (b) General Cabell, DDCI Letter to Major General Walsh, AFCIN, dated 16 October 1958
- (c) Verbal Instructions of Acting DD/I on 14 November 1958

1. Pursuant to References (a) and (b), a joint committee, composed of representatives of CIA, AFCIN, and ATIC, convened at 1000, 3 November 1958, and remained in session until 1700, 7 November 1958. The agreement attached hereto as Tab A is the result.

2. Tab A represents a workable solution to the first problem posed in the first paragraph of Reference (a); i.e., "release of CIA-produced information to ATIC contractors". This agreement provides workable procedures whereby ATIC may rapidly disseminate most CIA-produced intelligence and intelligence information to ATIC contractors. Tab B is the committee's comments on the second problem posed in the first paragraph of Reference (a); i.e., "use of CIA-produced intelligence information in the production of finished intelligence by ATIC".

3. Tab C is a staff study which was directed by Reference (c) to determine the consequences of Part III of the proposed agreement. Tab D is a memorandum from the Deputy Director of Security recommending certain changes in my basic staff study. I suggest that you invite Colonel Edwards or [redacted] and me to present the two aspects of the problem to you orally.

4. I recommend that you approve the agreement and forward the attached letter (Tab E) to General Walsh.

[redacted]
Deputy Assistant Director
Central Reference

STAT

Encls: Tab A, B, C, D and E

(Orig and 2 copies only rec'd in O/DDCI. Distribution as follows:
Orig - D/Security
1 - ER
1 - DD/I

7 November 1953

25X1

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1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

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on a contractor, that activity of the Battelle Memorial Institute known as
200-44986-14-1-1000-24 and A. H. L. H. H. H. H.

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STAT Project [] for the maintenance and operation of its technical intelligence information files and makes extensive use of other private contractors. any report carrying the LIMITED control is excluded from normal ATIC intelligence processing to [] or other ATIC contractors unless a specific release is obtained from the originator.

STAT This agreement provides workable procedures whereby ATIC may rapidly disseminate most CIA-produced intelligence and intelligence information to [] and other ATIC contractors.

PART I. GENERAL REQUIREMENTS FOR RELEASE OF CIA INTELLIGENCE INFORMATION

- STAT A. ATIC agrees that it will release CIA intelligence information to contractors, other than [] only in the form of TIPS (Technical Intelligence Processing System) cards from which source descriptions, CIA report numbers, and any attribution to CIA has been removed.
- B. CIA agrees that CIA intelligence information (except as noted in Paragraph D. below) which does not carry the dissemination control LIMITED, may be released to ATIC contractors, other than [] in the form described in Paragraph A. above without prior permission of CIA. Such release is contingent upon ATIC contractors having adequate security clearance as determined through implementation of Appendix A. STAT
- STAT C. CIA agrees that CIA information which does not bear the LIMITED control may be disseminated to [] in its original form without permission of CIA (except as noted in Paragraph D. below).
- D. OO-series information dated prior to 15 February 1955 and SO or CS-series information issued prior to that date which bear restrictive controls precluding release to contractors, may not be released to any

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Documentation, ATIC, for transmittal to ☐. Such of these reports as may be restricted to release to ☐ only shall have such restriction indicated clearly on the face of the report.

25X1
25X1

B. CS-SERIES REPORTS

AFCIN-1B2 will select those CS reports of interest to ATIC. Those bearing LIMITED control will be referred to Liaison Branch, Liaison and Collection Division, OCh, CIA, requesting consideration for release to ☐ and ATIC contractors.

STAT

C. CR-SERIES REPORTS

AFCIN-1B2 will select those CR reports of interest to ATIC. Those bearing LIMITED control will be referred to Liaison Branch, Liaison and Collection Division, OCh, CIA, requesting consideration for release to ☐ and ATIC contractors.

STAT

PART III. FINISHED INTELLIGENCE AND MISCELLANEOUS DOCUMENTS

Definition: This category includes that finished intelligence and those miscellaneous surveys, summaries, translations, lists, committee reports, guides, aids, handbooks, reviews, studies, briefs, working papers, and reports prepared by various offices within Central Intelligence Agency, normally released to AFCIN.

Procedures: ATIC will release these items to ☐ and other contractors on the basis of controls affixed to the document concerned and will release materials not bearing a control to contractors, other than ☐ either in the form of TIPS as defined in Part I A, or in such manner as to insure that the information released is confined to that absolutely necessary for the performance of the contract, is not attributable to CIA and contains no information concerning sources and methods. Questions regarding release of any documents within this category will be referred to the originating office through the Liaison Branch, Liaison and Collection Division, OCh, CIA.

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PART IV. ADMINISTRATIVE PROVISIONS:

- A. Amendments to this agreement will be published by CIA as numbered changes. CIA will coordinate all proposed amendments and will secure concurrence of the signatories prior to final publication.
- B. This agreement supersedes all previous agreements, correspondence, memoranda or messages pertaining to the release of CIA-produced intelligence and intelligence information to ATIC contractors.
- C. This agreement becomes effective when signed by appropriate authorities of CIA, AFCIN and ATIC.

APPENDIX A
Security Statement

CONCURRED IN BY THE COMMITTEE

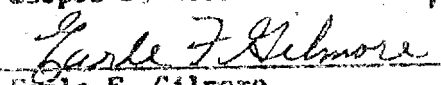
7 November 1958

FOR THE ASSISTANT CHIEF OF STAFF, INTELLIGENCE,
USAF

STAT
FOR CENTRAL INTELLIGENCE AGENCY


Henson K. DeBruler


Jasper S. Woodward


Earle F. Gilmore

SECRET

MINORITY STATEMENT

The Office of Security, CIA, agrees to the foregoing agreement as written and, of course, is prepared to accept clearances created by the Air Force in this matter. This office is aware of the operational importance of this agreement, both to the Air Force and AFIC and is anxious to assist in any way to implement the agreement. Further, the Office of Security is prepared to meet with the security officer of AFIC for mutual consideration of security problems and to assure that the security interests of Air Force and CIA are properly met. For this purpose, the Office of Security, CIA, would like to arrange for an early meeting with the Security Officer at AFIC and at such other times in the future as may be appropriate.

END

ATTACHED

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9 December 1958

MEMORANDUM FOR: Deputy Director of Central Intelligence

THROUGH : Acting Deputy Director/Intelligence

SUBJECT : CIA-ATIC Agreement on Release of CIA-Produced Intelligence and Intelligence Information to ATIC Contractors

REFERENCES : (a) Subject Agreement, 7 November 1958, as Amended
(b) Letter from ACSI/USAF to DDCI, 1 October 1958, and Answer, dated 16 October 1958

TAB C

PROBLEM:

To determine the consequences of Part III of the proposed agreement between AFCIN(ATIC) and CIA relative to the release by ATIC of CIA-produced intelligence and intelligence information to contractors (Reference (a)).

BACKGROUND:

1. As a result of General Walsh's request for clarification of the policy and procedures for release by ATIC of CIA-produced intelligence and intelligence information to contractors (Reference (b)), a working group composed of representatives of ATIC, AFCIN and CIA produced a proposed agreement (Reference (a)).
2. Parts I and II of the proposed agreement deal with specific categories of intelligence information and the proposed procedures have the concurrence of the affected CIA components (OO, FI and Office of Security).
3. Part III of the proposed agreement was inserted to cover all CIA-produced intelligence and intelligence information not specifically covered by Parts I and II. Questions have been raised as to whether the language of the definition is too broad, even with the phrase "normally released to AFCIN" added at the end of the definition. This phrase refers to the standard distribution to AFCIN of intelligence and intelligence information which falls in one or more of the categories in the definition. The phrase further implies that any intelligence and intelligence information outside the standard distribution would have to be specifically requested by AFCIN by document or subject category. The "Procedures" section of Part III clearly ties release to the provisions of DCID 11/2, and, furthermore, establishes the channel for inquiries from ATIC regarding releases. It is the inherent right of any agency to refuse to release any of its production to any other agency.

- 2 -

DISCUSSION:

1. Some readers of Part III of the proposed agreement have interpreted the language as implying that any CIA-produced intelligence or intelligence information disseminated to AFICIN and not bearing one or more of the limitations prescribed by DCID 11/2 may be candidates for passage by AFIC, at its discretion, to contractors. This, I believe, is a correct interpretation.
2. Other readers while accepting the above interpretation, raise the point of security implications of such passage to contractors of the material under question. I feel that this point is the real issue.
3. Stated simply then the issue is: Are the security standards established by AFICIN for dealing with contractors acceptable to CIA, and is the implementation of these standards in accord with accepted procedure in the CIA Office of Security? The Director of Security/CIA has answered affirmatively. (See "Security Statement" part of the subject agreement.)
4. There is an inherent risk of compromise in every classified document released outside the security jurisdiction of CIA. It is believed that this risk is minimized by the continual liaison between CIA Office of Security and the security components of agencies receiving CIA-produced material. The liberal exchange-of-information policies written into the NSCID series (see, for example, paragraph 3.b.(2) of NSCID #1, new series) clearly suggest that the risk has been accepted by the NSC and the intelligence community.
5. There is, however, the matter of the statutory responsibility of the DCI to protect sources and methods of intelligence collection from unauthorized disclosure. The key word is "unauthorized". Does the clearance of a contractor and his personnel by an agency other than CIA for the receipt of classified information constitute authorization for disclosure? The answer cannot be anything but "yes", if CIA Office of Security accepts the security standards of the non-CIA organization as well as their implementation.
6. Who must determine whether a document which has been released to AFICIN may also be releasable to an AFIC contractor? Within the framework of DCID 11/2 and the interpretations of that directive which have developed through practice, this responsibility cannot be placed on anyone other than AFIC. This conclusion must be premised on the assumption that the producer in CIA has correctly classified and limited his production.
7. Security regulations at best are no more than guides. Good security cannot be legislated; it must be practiced. Will then the practice of security in the present case impose an intolerable burden (or even a new burden) on producing offices? Have not these offices had the responsibility of correctly classifying and limiting their production all along? Of course, but has the classifier and limiter in each case thought of all possible

- 3 -

recipients of his paper? The several offices under the DDI have opined as follows:

a. OMA: There does not appear to be any significant change in present procedures wherein interdepartmental intelligence is released by the body producing such intelligence, and special cases will be dealt with on a case-by-case basis.

b. OSI: Whereas the agreement relaxes somewhat the controls heretofore considered necessary for the protection of sources of information, we feel generally that whatever calculated risk is involved is warranted to achieve the objective of the increased production of reliable intelligence, some of which will be of direct benefit to this Office.

c. OMI: With few exceptions, our product either falls into the OSIB category or is for internal consumption only and therefore does not fall into the category of CIA-produced intelligence distributed outside the Agency. The bilateral agreement with AFICIN should be expanded to cover Army and Navy also.

d. OOI: We believe that there is no OO material as presently defined in Part III which is normally released to the Air Force. If any such material is requested in the future, it can be handled on an ad hoc basis by OOR and OO. Therefore, no additional workload will be imposed on this Office if it is necessary to place special restrictive stamps on any Part III material in the future.

e. OUI: The problem does not confront us.

f. OLI: Because the regular publications of OLI are in one or more of the restrictive categories specified in OCB 11/2, our publications are not affected. Individual cases may be handled in accordance with the liaison provisions of the agreement between ATR via OOR to OLI.

g. In the course of completing the staffing of the proposed agreement, further discussions with the Director of Security of CIA resulted in his recommended revision of Section III being incorporated into the document. The Air Technical Intelligence Center has concurred in this revision.

CONCLUSIONS:

1. If authorities competent to make such determination decide that the interests of the U. S. and their own mission are best served by contracting for certain work outside of the government, then these authorities are obligated to provide tools and information not available to the contractor from his own sources to carry out the work.

- 4 -

2. The consequences of acceptance of text III of the proposed agreement, as revised, do not impose intolerable burdens on producing offices.

RECOMMENDATIONS:

1. That the proposed agreement, as revised, be approved.

[Redacted]
Acting Assistant Director
Central Reference

STAT

CONFERENCE:

[Redacted]

Acting DD/I

AD/O

Chief, FI/DDP

(See DD/Sec Memo 24 Dec 58 to AAD/CR--attached)

Director of Security

APPROVED:

(See D/Sec Memo to DDCI dtd 23 Jan 59)

C. F. Cabell, Deputy Director

Date

Enclosure: Reference (e)

OCR/LCD/LB

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1 - Chief, FI/DDP

1 - D/SO

*Orig & 1 copy only rec'd o/s DDCI.
Orig rec'd to AD/CR; cpy to ER.*

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24 December 1958

STAT MEMORANDUM FOR:
Acting Assistant Director/Central Reference

SUBJECT: CIA-ATIC Agreement

1. Reference is made to our discussions concerning the memorandum to the DDCI submitting the proposed CIA-ATIC Agreement for approval. In accordance with our conversations, we did not have a meeting of the minds on the substance of this memorandum as set forth under the heading "DISCUSSION" covering page 2 through page 4 inclusive of "CONCLUSIONS". Originally it was our belief that this memorandum simply proposed acceptance of the CIA-ATIC Agreement, however, in view of the desire to have a dissemination policy statement covering the intelligence community where contractual relationships are involved, the substance of the proposed memorandum dated 9 December is at some variance with the principles and controls that we feel are appropriate.

2. Accordingly, there is attached a draft substitute for pages 2, 3 and 4 of the 9 December memorandum which we feel represents as security policy the appropriate basis upon which problems of this nature can be reviewed and acted upon by the Agency components concerned with dissemination to other government agencies. This Office feels that this approach is timely in view of several investigations of unauthorized disclosures of information which appear to involve the field of contractual services by other departments.

3. It is recommended that the attached draft be substituted in the memorandum of 9 December for appropriate coordination and forwarding to the DDCI. If you have any questions, please advise so that this problem can be resolved.

STAT

Deputy Director of Security

Attachment
Draft

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Orig. of attached rel'd to AD/C R - no other copies made

TAB D

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CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	INITIALS	DATE
1	AD/CR		
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ACTION		DIRECT REPLY	PREPARE REPLY
APPROVAL		DISPATCH	RECOMMENDATION
COMMENT		FILE	RETURN
CONCURRENCE		INFORMATION	SIGNATURE
<p>Remarks:</p> <p>1. Please note that Original and 1 copy only of your Memo of 9 Dec 58 to DDCI were received in the Office of DDCI. Original is being returned to your office and the copy to ER for file. Perhaps you could furnish the Office of Security with a copy of this memo for their files.</p> <p>2. Please note General Cabell's comment on D/Security Memo of 23 Jan.</p> <p>3. For your information, General Cabell signed on 28 January the ltr to General Walsh (prepared by OCR/LCD/LB/ on 12 Nov 58). AD/CR and LB copies of this ltr were not received in O/DDCI; were apparently retained by your office.</p>			
FOLD HERE TO RETURN TO SENDER			
FROM: NAME, ADDRESS AND PHONE NO.			DATE
<i>CC: ER</i> O/DDCI - 203 Admin			1/29/59
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CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP					
TO	NAME AND ADDRESS	INITIALS	DATE		
1	Director of Security				
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ACTION		DIRECT REPLY		PREPARE REPLY	
APPROVAL		DISPATCH		RECOMMENDATION	
COMMENT		FILE		RETURN	
CONCURRENCE		INFORMATION		SIGNATURE	
Remarks:					
<p>1. Please note DDCI comment on your Memo of 23 January.</p> <p>2. Please note that copies of DDCI ltr to General Walsh dated 28 Jan (prepared by OCR) went to AD/O and C/FI/DDP. These two offices were not on distribution for copy of your memo to DDCI dated 23 January. If necessary, will you please furnish them with copies, along with comment by General Cabell.</p>					
(cc: ER DDCI)					
FOLD HERE TO RETURN TO SENDER					
FROM: NAME, ADDRESS AND PHONE NO.					DATE
O/DDCI - 203 Admin					1/29/59
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